

立法會
Legislative Council

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(These minutes have been

seen

by the Administration)

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**Subcommittee on
subsidiary legislation relating to Chief Executive Election**

**Minutes of second meeting
held on Wednesday, 31 October 2001 at 8:30 am
in the Chamber of the Legislative Council Building**

Members present : Hon IP Kwok-him, JP (Chairman)
Hon NG Leung-sing, JP
Hon HUI Cheung-ching, JP
Hon CHAN Yuen-han, JP
Hon SIN Chung-kai
Hon Jasper TSANG Yok-sing, JP
Hon Howard YOUNG, JP
Hon TAM Yiu-chung, GBS, JP
Hon LEUNG Fu-wah, MH, JP

Members absent : Hon Cyd HO Sau-lan
Hon Andrew WONG Wang-fat, JP
Dr Hon Philip WONG Yu-hong

Public Officers attending : Mr Bassanio SO
Acting Deputy Secretary for Constitutional Affairs

Miss Katy FONG
Assistant Secretary for Constitutional Affairs

Mr LI Wing
Chief Electoral Officer

Mr Lawrence PENG
Senior Government Counsel

Miss Leonora IP

Acting Senior Government Counsel

Ms Rayne CHAI
Government Counsel

Clerk in attendance : Mrs Percy MA
Chief Assistant Secretary (2)3

Staff in attendance : Mr Stephen LAM
Assistant Legal Adviser 4

Mr Raymond LAM
Senior Assistant Secretary (2)5

I. The meeting

The Subcommittee deliberated (index of proceedings at **Annex A**) on -

- (a) the outstanding issues in respect of the following Regulations :
 - (i) Election Committee (Appeals) Regulation (L.N. 196 of 2001);
 - (ii) Election Committee (Registration) (Voters for Subsectors) (Members of Election Committee) (Appeals) Regulation (L.N. 197 of 2001);
 - (iii) Registration of Electors (Appeals) (Amendment) Regulation 2001 (L.N. 199 of 2001); and
 - (iv) Electoral Affairs Commission (Registration) (Electors for Functional Constituencies) (Voters for Subsectors) (Members of Election Committee) (Legislative Council) (Amendment) Regulation 2001 (L.N. 200 of 2001);
- (b) the timetable for the 2002 Chief Executive election; and
- (c) the following items of subsidiary legislation gazetted on 12 October 2001 :
 - (i) Election Committee (Subscribers and Election Deposit for Nomination) Regulation (L.N. 205 of 2001);
 - (ii) Legislative Council (Subscribers and Election Deposit for Nomination) (Amendment) Regulation 2001(L.N. 206 of 2001);

- (iii) Distribution of Number of Members Among Designated Bodies (Election Committee) Order 2001 (L.N. 207 of 2001);
 - (iv) Electoral Affairs Commission (Nominations Advisory Committees (Election Committee)) Regulation (L.N. 208 of 2001);
 - (v) Electoral Affairs Commission (Nominations Advisory Committees (Legislative Council)) (Amendment) Regulation 2001 (L.N. 209 of 2001); and
 - (vi) Electoral Affairs Commission (Electoral Procedure) (Election Committee) Regulation (L.N. 210 of 2001).
2. To facilitate the work of the Subcommittee, the Administration was requested -
- (a) to respond to any outstanding issues raised by the Assistant Legal Adviser; and
 - (b) to provide the Administration's proposed amendments to L.N. 196, 205 and 208 of 2001.

II. Any other business

3. Having completed its scrutiny of L.N. 196 to 200 of 2001, the Subcommittee agreed that a report be made to the House Committee at its meeting on 2 November 2001.
4. The Subcommittee agreed that the Chairman would move a motion at the Council meeting on 14 November 2001 to extend the scrutiny period of the six items of subsidiary legislation referred to in paragraph 1(c) above to the Council meeting on 21 November 2001.
5. The Subcommittee agreed to hold the next meeting on 13 November 2001 at 8:30 am to discuss outstanding issues.
6. There being no other business, the meeting ended at 10:35 am.

Legislative Council Secretariat
12 November 2001

**Proceedings of the second meeting of the Subcommittee on
subsidiary legislation relating to Chief Executive Election
on Wednesday, 31 October 2001 at 8:30 am
in the Chamber of the Legislative Council Building**

Time	Speaker	Subject(s)	Action required
000001-000319	Chairman	Opening remarks	
000320-000501	ALA4	L.N. 196 - Administration's proposed amendments to English version	
000502-000507	Chairman	-ditto-	
000508-000515	Admin	-ditto-	√
000516-000633	Chairman	Administration's proposed amendments to L.N. 197 and 199	
000634-000753	Admin	2002 CE election - timetable	
000754-000820	Mr Howard YOUNG	2002 CE election - nomination period	
000821-000836	Admin	-ditto-	
000837-000857	Mr Howard YOUNG	-ditto-	
000858-000910	Admin	-ditto-	
000911-000959	Mr Howard YOUNG	-ditto-	
001000-001007	Admin	-ditto-	
001008-001027	Chairman	-ditto-	
001028-001037	Mr Howard YOUNG	-ditto-	
001038-001049	Admin	-ditto-	
001050-001100	Mr Howard YOUNG/ Admin	-ditto-	
001101-001118	Mr Howard YOUNG	-ditto-	
001119-001125	Chairman/Admin/ Mr Howard YOUNG	-ditto-	
001126-001135	Admin	-ditto-	
001136-001139	Mr Howard YOUNG	-ditto-	
001140-001157	Chairman	-ditto-	
001158-001209	Mr Howard YOUNG	-ditto-	
001210-001232	Admin	-ditto-	
001233-001246	Chairman/Admin	-ditto-	
001247-001414	Chairman	Report to House Committee	
001415-001624	Chairman	Subsidiary legislation gazetted on 12 October 2001	
001625-001804	Admin	L.N. 205 - general briefing	

001805-001843	ALA4	L.N 205 - drafting aspects	√
001844-002056	Chairman	L.N. 205 - clause-by-clause examination of sections 1 to 8	
002057-002322	Chairman	L.N. 206 - clause-by-clause examination of sections 1-8	
002323-002454	Admin	L.N. 207 - general briefing	
002455-002513	ALA4	L.N. 207 - drafting aspects	
002514-002657	Chairman	L. N. 207 - clause-by-clause examination of sections 1 - 2	
002658-002806	Admin	L.N. 208 - general briefing	
002807-002903	ALA4	L.N. 208 - drafting aspects	√
002904-003145	Chairman	L.N. 208 - clause-by-clause examination of sections 1-10	
003146-003440	Chairman	L.N. 209 - clause-by-clause examination (sections 1 - 9)	
003441-003650	Admin	L.N. 210 - general briefing	
003651-003740	ALA4	L.N. 210 - drafting aspects	
003741-003924	Chairman	L.N. 210 - comparison table (section 1 - Interpretation)	
003925-003944	Admin	-ditto-	
003943-003956	Chairman	L.N. 210 - comparison table (section 2 - Application)	
003957-003958	Admin	-ditto-	
003959-004021	Chairman	L.N. 210 - comparison table (section 4 - Chief Electoral officer to publish notice specifying period and address for submitting subsector nomination forms)	
004022-004026	Admin	-ditto-	
004027-004334	Chairman	L.N. 210 - Comparison table (sections 8-37)	
004335-004357	ALA4	L.N. 210 - Comparison table (section 41 - Presiding Officer to keep order in no canvassing zone and no staying zone)	
004358-004509	Admin	-ditto-	
004510-004520	Chairman	-ditto-	
004521-004525	Admin	-ditto-	
004526-004536	Chairman/Admin	-ditto-	
004537-004548	Chairman	-ditto-	
004549-004618	Admin	-ditto-	
004619-004702	Chairman	-ditto-	
004703-004734	Admin	-ditto-	
004735-004742	Chairman/Admin	-ditto-	

004743-004811	Admin	-ditto-	
004812-004827	Mr TAM Yiu-chung	-ditto-	
004828-004831	Admin	-ditto-	
004832-004836	Mr TAM Yiu-chung	-ditto-	
004837-004844	Admin	-ditto-	
004845-004856	Chairman/Admin	-ditto-	
004857-004925	Chairman	L.N. 210 - comparison table (section 42 - Candidates may appoint polling agents)	
004926-005006	ALA4	L.N. 210 - comparison table (section 46 - Presiding Officer to keep order at polling station)	
005007-005053	Admin	-ditto-	
005054-005126	Chairman	-ditto-	
005127-005147	Admin	-ditto-	
005148-005158	Chairman	-ditto-	
005159-005232	Admin	-ditto-	
005233-005249	Mr TAM Yiu-chung	-ditto-	
005250-005258	Admin	-ditto-	
005259-005348	Chairman	L.N. 210 - comparison table (section 49 - Form of ballot papers and order of appearance of names of candidates on ballot papers)	
005349-005417	Admin	-ditto-	
005418-005420	Chairman	-ditto-	
005421-005428	Chairman/Admin	-ditto-	
005429-005458	Chairman	L.N. 210 - comparison table (sections 53 - Presiding Officer to issue ballot papers to voter or authorized representative)	
005459-005543	Admin	L.N. 210 - comparison table (section 54 - Procedure for voting)	
005544-005559	Chairman	-ditto-	
005600-005615	Mr SIN Chung-kai	-ditto-	
005616-005628	Chairman	-ditto-	
005629-005652	Admin	-ditto-	
005653-005659	Chairman	-ditto-	
005700-005711	Admin	-ditto-	
005712-005731	Mr SIN Chung-kai	-ditto-	
005732-005753	Chairman	L.N. 210 - comparison table (section 55 - Voter or authorized representative having left polling station without casting vote may return to cast vote under certain circumstances)	
005754-005941	Admin	-ditto-	
005942-010007	Mr TAM Yiu-chung	-ditto-	
010008-010026	Admin	-ditto-	
010027-010049	Chairman	-ditto-	

010050-010124	Admin	-ditto-	
010125-010135	Chairman	-ditto-	
010136-010140	Admin	-ditto-	
010141-010147	Chairman	-ditto-	
010148-010350	ALA4	-ditto-	
010351-010443	Admin	-ditto-	
010444-010455	Chairman	-ditto-	
010456-010526	Admin	-ditto-	
010527-010530	Chairman	-ditto-	
010531-010550	Admin	-ditto-	
010551-010716	Mr NG Leung-sing	-ditto-	
010717-010750	Admin	-ditto-	
010751-010815	Mr NG Leung-sing	-ditto-	
010816-010834	Admin	-ditto-	
010835-010847	Chairman/Admin/ Mr NG Leung-sing	-ditto-	
010848-010858	Admin	-ditto-	
010859-010946	Mr NG Leung-sing	-ditto-	
010947-011001	Admin	-ditto-	
011002-011005	Chairman	-ditto-	
011006-011023	ALA4	-ditto-	
011024-011030	Chairman	-ditto-	
011031-011034	Admin	-ditto-	
011035-011040	Chairman	-ditto-	
011041-011217	ALA4	-ditto-	
011218-011327	Admin	-ditto-	
011328-011425	Mr NG Leung-sing	-ditto-	
011426-011451	Chairman	-ditto-	
011452-011551	ALA4	-ditto-	
011552-011604	Chairman	-ditto-	
011605-011615	Admin	-ditto-	
011616-011644	Chairman	-ditto-	
011645-011739	Admin	-ditto-	
011740-011750	Chairman	-ditto-	
011751-011814	Admin	-ditto-	
011815-012008	Mr NG Leung-sing	-ditto-	
012009-012055	Admin	-ditto-	
012056-012127	Chairman	-ditto-	

012128-012203	ALA4	-ditto-	
012204-012214	Chairman	L.N. 210 - Comparison table (section 56 - How ballot papers are to be marked)	
012215-012255	Admin	-ditto-	
012256-012310	Chairman	L.N. 210 - Comparison table (section 58 - When person is to be issued with ballot paper marked "重複" and "TENDERED")	
012311-012327	Mr NG Leung-sing	-ditto-	
012328-012404	Admin	-ditto-	
012405-012521	Mr NG Leung-sing	-ditto-	
012522-012558	Chairman	-ditto-	
012559-012706	Admin	-ditto-	
012707-012919	Mr NG Leung-sing	-ditto-	
012920-013027	Admin	-ditto-	
013028-013116	Chairman	-ditto-	
013117-013124	Admin	-ditto-	
013125-013142	Chairman	-ditto-	
013143-013214	Admin	-ditto-	
013215-013223	Chairman	-ditto-	
013224-013625	Mr NG Leung-sing	-ditto-	
013626-013719	Admin	-ditto-	
013720-013816	Mr SIN Chung-kai	-ditto-	
013817-013903	Admin	-ditto-	
013904-013932	Chairman	L.N. 210 - Comparison table (sections 61 - 63)	
013933-013945	Admin	L.N. 210 - Comparison table (section 64 - Candidates may appoint counting agents)	
013946-013954	Chairman	L.N. 210 - Comparison table (section 68 - Returning Officers to keep order at counting station)	
013955-014016	ALA4	-ditto-	
014017-014027	Chairman	L.N. 210 - Comparison table (section 73 - 74)	
014028-014042	ALA4	-ditto-	
014043-014149	Admin	-ditto-	
014150-014206	Chairman	-ditto-	
014207-014243	Admin	-ditto-	
014244-014250	Chairman	L.N. 210 - Comparison table (section 77 - Ballot papers the votes recorded on which are not to be counted)	
014251-014317	Admin	-ditto-	
014318-014321	Chairman	-ditto-	
014322-014329	Admin	-ditto-	

014330-014346	Chairman	L.N. 210 - Comparison table (section 78 - Returning Officer to make decisions on questionable ballot papers)	
014347-014406	Admin	-ditto-	
014407-014512	Chairman	L.N. 210 - Comparison table (sections 80 - 95)	
014513-014518	Chairman	L.N. 210 - Comparison table (consequential amendments - Electoral Affairs Commission (Electoral Procedure)(Legislative Council) Regulation)	
014519-014530	Admin	-ditto-	
014531-014551	Chairman	L.N. 210 - Comparison table (Schedule 1 - Postponement and adjournment of subsector elections)	
014552-014556	Admin	-ditto-	
014557-014613	Chairman	-ditto-	
014614-014655	Chairman	L.N. 210 - Comparison table (Schedule 2 - Form of ballot paper and form of notice of result of subsector election under section 35 of Schedule to Chief Executive Election Ordinance (Cap. 569))	
014656-015839	Chairman	L.N. 210 - clause-by-clause examination of sections 1-106 and Schedule 1-2	
015840-015931	Mr TAM Yiu-chung	L.N. 210 - section 45 - What constitutes offence at polling station	
015932-015943	Chairman/ Mr TAM Yiu-chung	-ditto-	
015944-020013	Admin	-ditto-	
020014-020018	Chairman	-ditto-	
020019-020026	Mr TAM Yiu-chung	-ditto-	
020027-020033	Chairman/ Mr TAM Yiu-chung	-ditto-	
020034-020255	Chairman	Extension of scrutiny period and date of next meeting	

Note : The audio records of the above proceedings are kept at the LegCo Library

Legislative Council Secretariat
12 November 2001